

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

Transatlantica Commodities Pte Ltd.,
versus

Civil Action No. 22-cv-01983
In Admiralty

Hanwin Shipping Limited

**EX PARTE MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANT
WITH INCORPORATED MEMORANDUM IN SUPPORT**

According to Local Rule 83.2 and Texas Disciplinary Rule of Professional Conduct 1.15(b), undersigned counsel David B. Sharpe, Todd G. Crawford, the law firm Lugenbuhl, Wheaton, Peck, Rankin & Hubbard, Brian P. Maloney, Bruce G. Paulsen, and the law firm Seward & Kissel, LLP, respectfully move this Court for leave to withdraw as counsel of record for defendant Hanwin Shipping Limited (“Hanwin”).

Withdrawal is appropriate because Hanwin has failed to substantially fulfill its obligations to undersigned counsel regarding counsel’s services and has been given reasonable warning that counsel will withdraw unless the obligations are fulfilled. Further, continued representation will result in an unreasonable financial burden on counsel, and counsel’s continued representation has been rendered unreasonably difficult by Hanwin.

Despite reasonable notice, Hanwin has not appointed substitute counsel. None of the other parties to this action object to the withdrawal of undersigned counsel.

Local Rule 83.2, Withdrawal of Counsel, states that although no delay will be countenanced because of a change in counsel, but “withdrawal of counsel-in-charge may be effected by motion and order, under conditions imposed by the Court.”

Texas Disciplinary Rule of Professional Conduct 1.15(b) provides that a lawyer may withdraw from representing a client if “(5) the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer’s services, including an obligation to pay the lawyer’s fee as agreed, and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled; (6) the representation will result in an unreasonable financial burden on the lawyer or has been rendered unreasonably difficult by the client; or (7) other good cause for withdrawal exists.”

The undersigned counsel, acting as local counsel with Seward & Kissel LLP, entered a restricted appearance pursuant to Supplemental Admiralty Rule E(8) on behalf of Hanwin.

For several months, Hanwin has failed to fulfill obligations to its counsel regarding counsel’s services and has been given reasonable warning that counsel will withdraw unless these obligations are fulfilled. On January 25, 2023, pursuant to Texas Disciplinary Rule of Professional Conduct No. 1.15(b), lead counsel at Seward & Kissel sent Hanwin a letter via certified mail and electronic mail, on behalf of all of the attorneys that had been engaged in Hanwin-related matters in the United States (including without limitation undersigned counsel) and notifying Hanwin of counsel’s intent to file the instant Motion. Pursuant to the Local Rules, the letter informed Hanwin of all deadlines and pending court appearances in this action.

Hanwin’s current address and points of contact are as follows; upon information and belief, Hanwin cannot otherwise be reached by telephone.

Hanwin Shipping Limited
Dept 906 196 High Road
Wood Green, London, N22 8HH
public@hanwinshipping.com

Last known points of contact at Hanwin:
Stephen
Mobile: +86 13611899913

Email: stephen@hanwinshipping.com

Nicole

Mobile: +86 18019236829

Email: nicole@hanwinshipping.com

For these reasons, undersigned counsel respectfully requests leave to withdraw their appearance on behalf of Hanwin.

Respectfully submitted,

s/Todd G. Crawford

Todd G. Crawford

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Local Rule 83.3 and Local Rule 83.4 Certificate of Service

According to Local Rule 83.3 and Local Rule 83.4, I certify that defendant Hanwin Shipping Limited has been notified of all deadlines and pending court appearances. I further certify a copy of this motion will be sent via electronic mail and Federal Express to:

Hanwin Shipping Limited
Dept 906 196 High Road
Wood Green, London, N22 8HH
public@hanwinshipping.com

A copy of this motion will also be sent via electronic mail only to Hanwin's last-known points of contact:

Stephen stephen@hanwinshipping.com and
Nicole nicole@hanwinshipping.com

Upon information and belief, Hanwin cannot be reached by telephone.

I also certify that this document was served upon all counsel of record via email and by operation of the Court's CM/ECF system.

Dated: March 15, 2023.

s/ Todd G. Crawford
Todd G. Crawford